



MAIL STOP PCT
Attorney Docket No. 26753U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

YACHIA et al.

International Application Number: PCT/IL2003/000914

Serial No. 10/533,639

International Filing Date: 04 November 2003 (04.11.2003)

Filed: May 3, 2005

For: **IMPLANTABLE MEDICAL DEVICE FOR CONTROLLED RELEASE OF A SUBSTANCE**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

- [~~XXX~~] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- [] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.
The enclosed statement is accompanied by [check one]:
[] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
[] ii. a check in the amount required by 37 C.F.R. 1.17(p).
- [] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.
[] Certification report(e) below; and
[] a check in the amount as required by 1.17(p).

[] d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

[] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
or

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[] Appropriate certification is attached.

[~~xxx~~] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[~~xxx~~] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

[~~xxx~~] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

Date filed: October 31, 2005

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FORM PTO-1449

INFORMATION DISCLOSURE CITATIONAtty Docket
26753USerial
No.10/533,639Applicant
YACHIA et alFiling Date
May 3, 2005Group Art Unit
Unknown**U.S. PATENT DOCUMENTS**

Examiner Initial		Document Number	Issue/Pub Date	Name	Class	Sub-Class	Filing Date
	AA	6,364,856 B1	02 Apr. 2002	Ding et al.			14 Apr. 1998
	AB	6,187,038 B1	13 Feb. 2001	Sullivan et al.			08 Apr. 1998
	AC	6,187,768 B1	13 Feb. 2001	Welle et al.			01 Jul. 1999
	AD	6,293,933 B1	25 Sep. 2001	Ahlstrand			18 Oct. 1995
	AE	6,398,718 B1	04 Jun. 2002	Yachia et al.			15 Jun. 2000
	AF	2002/0082551 A1	27 Jun. 2002	Yachia et al.			13 Sep. 2001
	AG	2002/0138067 A1	26 Sep. 2002	Sheppard, JR. et al.			11 Oct. 2001
	AH	2002/0119176 A1	29 Aug. 2002	Greenberg et al.			26 Oct. 2001
	AI	6,123,861	26 Sep. 2000	Santini, Jr. et al.			11 Feb. 1998

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Translation
	AJ	01/35928 A1	25 May 2001	WO			N/A
	AK	02/30401 A2	18 Apr. 2002	WO			N/A
	AL	01/41736 A2	14 Jun. 2001	WO			N/A

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AM		
	AN		

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609.
 Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to Applicant.